

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LATANYA LITTMAN,

Plaintiff,

ORDER

20-cv-5620 (EK) (VMS)

-against-

GLOBAL CONTACT SERVICES, LLC,

Defendant.

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ERIC KOMITEE, United States District Judge:

This case is dismissed for lack of subject matter jurisdiction. In response to the Court's order of June 14, 2022, Plaintiff indicated that she "is not able to state with certainty the identity and citizenship of each member of the Defendant, Global Contact Services, LLC." ECF No. 36. Because a limited liability company "takes the citizenship of each of its members," *Bayerische Landesbank, N.Y. Branch v. Aladdin Capital Mgmt. LLC*, 692 F.3d 42, 49 (2d Cir. 2012), Plaintiff must plead the identity and citizenship, not just residence, of each member of defendant Global Contact Services, proceeding up the chain of ownership until the citizenship of every individual or corporation with a direct or indirect interest in Global Contact Services is alleged. *E.g., Carter v. HealthPort Techs., LLC*, 822 F.3d 47, 60 (2d Cir. 2016) (allegation that an LLC "is a citizen of a different state" is deficient "because it

contains no allegation as to the identity or citizenship" of the members). Plaintiff has not done so here, and has thus failed to meet her burden of establishing that federal jurisdiction exists.

Plaintiff has not requested jurisdictional discovery. Still, I note that although district courts have the discretion to order jurisdictional discovery "to determine whether there [is] complete diversity of citizenship," *Platinum-Montaur Life Scis., LLC v. Navidea Biopharmaceuticals, Inc.*, 943 F.3d 613, 618 (2d Cir. 2019), I find that jurisdictional discovery is not warranted here. "[I]ntroducing a mini-litigation on the threshold issue of diversity of citizenship should be avoided if possible." *Northfield Ins. Co. v. GM Star Constr., Inc.*, 532 F. Supp. 3d 73, 74 (E.D.N.Y. 2021). Further, where a plaintiff "does not appear to know the identity of any, let alone all, of the members of the LLC defendant" and "thus has no basis for believing that defendant is a citizen of a different state than plaintiff," allowing "jurisdictional discovery would encourage speculative assertions of jurisdiction against LLCs and other unincorporated entities based on the mere hope that the facts might turn out in the plaintiff's favor." *Id.*

The Clerk of Court is respectfully directed to enter judgment and close this case.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: July 11, 2022
Brooklyn, New York